

APPENDIX L

Input Received During Second Public Meeting: Steering Committee Work Session and Public Meeting

Below is a compilation and analysis of the information provided at this full day work session held in Belfast in February 2006. The first document provides an overview of the stakeholder presentations and the second document summarizes the small group discussions.

DOCUMENT 1: SUMMARY OF PANEL PRESENTATIONS

PANEL 1: LARGE-SCALE, SYSTEM-CHANGE APPROACHES TO BAY MANAGEMENT

Roger Fleming, Conservation Law Foundation
Sal McCloskey, East Penobscot Bay Alliance
Vivian Newman, Maine Chapter of the Sierra Club
Steve Perrin, Friends of Taunton Bay

Speaker: Roger Fleming, Conservation Law Foundation (CLF)

Title: Bay-Area Planning and Management

Wants to encourage the State to set up a framework for decision making that will lead to better management of the Coast.

There are many benefits of local management and planning.

CLF has been involved in different aspects of marine planning for years.

The Pew Oceans Commission report and the US Oceans Commission report concluded that oceans are in trouble and that we need to move toward the use of more ocean planning tools – geared toward improving the overall health of the oceans.

The EEZ is large, and is held as a public trust. If we treated the land as we treated the EEZ people would be outraged.

Resources belong to all and should be managed for all – as a whole.

The coastal New England ecosystem, Gulf of Maine, and other ecosystems are all the same in the sense that they are functioning ecosystems, and need to be treated as such– the only difference is that the Gulf of Maine is covered with water.

There are concerns about ecosystem health, and increasing demands on ocean resources. Current management structures can no longer cope with these.

CLF has been studying Bay Area management models for a couple of years. They have been looking at various models to find tools to be used in Bay Area Management models. CLF issued a draft whitepaper to the Aquaculture Task Force, and is about to issue an update.

The classic elements of Bay Area Management in current models and studies are:

- Adaptive
- Integrated and Interdisciplinary
- Long Term Perspective and Vision
- Ecosystem-based
- Community-based Initiatives and capacity building
- Proactive Issue Management
- Marine Reserves and Coastal Protections

Note especially the adaptive nature of the tools, and that a second review loop is used to see if they are working. Tools tend to be integrated: they deal with multiple users and try to incorporate regulatory entities. Single sector models are not discouraged, they will over time lead to a more integrated model.

Proposed model:

The proposed model strikes a balance between proposals that are on the table right now. There is a range of possible actions, and this proposal is in the middle. It is the best fit based on where Maine is right now. The proposed model would establish an option for people who live around or value a bay to put together a plan to manage the bay subject to approval and oversight.

The local plan would fit in a geographically defined area and it would establish standards and a local body. If the plan is created locally and approved by the state, it would work on the basis of a consistency determination.

If a plan is found consistent, it could move forward. If found inconsistent, there would be an appeal route.

There are many details that could be discussed, but these would be better addressed through questions and answers than in the ten minute presentation. (Some are in handout)

This proposal would involve statewide principles and statewide standards.

The tendency will be toward making the process complex, but CLF would like to see a less regulated, more open program that provides incentives for local communities to undertake the planning exercise and try some experiments.

Speaker: Sally McCloskey, East Penobscot Bay Environmental Alliance (EPBEA)

Title: Working Group Position Paper on Bay Management

Project members who prepared the position paper:

Marsden Brewer, Danny Weed, Clare Grindal, Nonny Ferriday, Becky Bartovics, Jane McCloskey, Sally McCloskey

There are many licensing entities acting in a hodgepodge approach, and there is little analysis of the overall impacts of uses and of management. Agencies work with municipalities, but lack the

overall picture in this respect as well. Some licensing and enforcement is not happening because of lack of resources or lack of oversight.

River systems are part of the health of our bays, and should be regionally managed as well. One cannot manage the public trust with one size fits all solutions from Augusta, nor from the myopia of municipalities, rather bay and river management requires a regional approach.

Vision statement: Bay management seeks to coordinate the activities of state and local government, stakeholders, special interest groups and bay citizens in the management of the public trust. It works to mitigate the impact of a host of public and private uses of a water system to ensure the ecological sustainability of its marine environment and the economic sustainability of its working people.

Regional management structure: The group's conclusion was that one of the ways of getting local control, was to create a bay or river advisory *council* made up of state agencies, bureaus, etc. as an advisory council to a bay or river *committee* which would be the governing authority.

The bay or river committee would be comprised of 12 volunteer members representing a broad array of stakeholders and appointed by the Governor. It would need a distribution of people around the bay, not necessarily one from each town for larger bays. *[This is different than the position paper – paper says at least one from each town fronting a bay].*

Subgroups could be formed to coordinate with larger bay group, but the members must represent areas they are making decisions about.

The advisory council would be comprised of representatives from state agencies, the Legislature, towns, and counties. They would make suggestions to the Bay Management committee, either by request or on their own initiative. SPO would be in charge of coordinating this.

A Bay Keeper for each bay or river would be hired and paid for by the bay committee through general revenues, federal funds, special fees, etc.

The Bay Keeper would liaison with local law enforcement, the Bay Committee, the harbormaster, and play an education role as well. The Bay Keeper would provide feedback to the committee. Bay Stewards and Partners in Monitoring, as well as other groups would assist the Bay Keeper.

The Bay Keeper can regularly keep track of monitoring, land uses, bay uses, the results of water testing, etc. The Bay Keeper also performs oversight by reporting violations to law enforcement, moral support to town code enforcement officer, and harbormaster, and also reports to committee about what is working and not working.

Roger's presentation of what a planning effort is was wonderful and she would support and recommend it.

Further detail is available in the position paper.

Speaker: Steve Perrin
Title: Ecosystem-Based Management

18 points
4 take home messages

Ecosystem based management
In gray area of diagram – all new ground.

We are so accustomed to thinking in monetary terms that the natural world becomes an extension of the economy. This turns reality on its head

We rely on natural systems which make our uses possible. Attempts to manage the ecosystems surpass our understanding. Ecosystem based management is to sustain their natural functions over long periods so that the marine-dependent jobs and activities they make possible are sustained as well.

Figure 1
What does ecosystem-based management look like?

Points

1. Harvesting impacts a particular species within a community. How many are landed, and how many remain?
2. What other species make up that community and how are they impacted?
3. Each community exists within a habitat. How does use impact that habitat?
4. Habitat communities are built on trophic levels - how does a given use impact the structure?
5. Coastal ecosystems rely on a variety of habitats. How does a particular use affect a balance between these areas?
6. How does a use affect the characteristics of the area which drive ecosystem functioning?

Take home: Sustainable uses depend on a full understanding of the effects of such uses on species populations, community and habitat structures, and the ecosystem as a whole.

Figure 2
How do we do the management part?
Regionally in an integrated and cooperative manner

Points

1. Establish an orderly and ongoing exchange of information between many stakeholders.
2. Horizontal and vertical integration – a county level management council.
3. Participants agree to common goals and principles.
4. All participants must be clear that public trust doctrine is best implemented by assuring the sustained health of all coastal ecosystems, not for the benefit of a few individuals.
5. Regional offices responsible for data collection and volunteer training.
6. Resolution of conflicts is based on data and shared principles and ecosystem based management.

Take home: Regional ecosystem-based management implements the essence of public trust doctrine, which is to assure the greatest benefit to Maine citizens by coordinating and implementing a broad range of state and local thinking regarding sustainable coastal uses by citizen stewards.

Why do we do it?

Sustainability of coastal uses, jobs, ecosystems.

Take home: Sustainability of coastal uses, jobs, ecosystems.

What first steps to take?

1. Beware romance of nostalgia and tradition, we can't reverse the course of history. Ecosystem based coastal management learns from the past, builds on the present and plans for the future.
2. Develop a coastal management template that can be tailored to ecosystems up and down the coast.
3. Build on the Steering Committee's work, including lessons learned from pilot projects.
4. Establish regional forums as precursors or regional management bodies.
5. Assign state agency personnel to development of such forums.
6. Seek ideas and expertise from many institutions and groups – generalists and specialists.

Take home: Take small steps but prepare for them right now.

What are the greatest challenges? Public education. We will never fully understand ecosystems. We can start with human ecosystems to build understanding.

Speaker: Vivian Newman, Sierra Club

Important words mentioned already:

- Ecosystem
- Integrate
- Proactive

She is preoccupied with national level issues, but sees the relationships between local and national issues as important. Bay management should be undertaken with an eye for future uses. Offshore energy issue is of particular concern; we need to incorporate that thinking. There are proposals for new management regimes for renewable energy offshore: this is in its infancy, but it will have a very direct impact on the local base.

Leasing and permitting programs for renewable energy sources are in their infancy. This will all take place in federal waters but impacts will be inshore and on the coast. Despite LNG issues in Maine, it is still not settled. Much of the information is proprietary or expensive. There should be an emphasis on the state's role in providing information early in the process. We should all be engaged, especially at the federal level, when permitting processes are designed. She has strongly suggested that the state update its energy facility siting plan, especially environmental and socioeconomic concerns.

Vivian issues a plea for looking ahead to the things that will be very large and affect bay management but remember that the CZM act has become a lifeless thing, and we need to breathe new life into these words. These fine constructs depend on human beings carrying them out. Vivian was asked to address NIMBYism, which in this case is NIMBOceanism. It is almost an imponderable. We have to have some proactive info and planning and thinking, and then when it comes down to actual in the bay decision-making we have to be prepared – turf warfare has to be addressed – find some way to have integrated approach to CZMA.

Panel 2: Local or Place-Based Approaches to Bay Management

Frank Dorsey, Friends of Taunton Bay, Taunton Bay Pilot Project

Brad Haskell, Bar Harbor Marine Resources Committee

Don Eley, Friends of Blue Hill Bay

Note: Due to a family emergency, Jennifer Atkinson of the Quebec-Labrador Foundation and the Muscongus Bay Pilot Project was not able to present as part of this panel as planned.

Speaker: Frank Dorsey, Friends of Taunton Bay (FOTB)

Title: The Taunton Bay Study – Lessons to Date

Taunton Bay is one of two bay management pilot projects funded for one year to inform the Bay Management Study.

The Study is organized into five major working groups. Next to each is an example of a lesson learned.

1. **Economics:** FOTB Economic Working Group has tried to estimate the economic value of the Taunton Bay. There is very little data available. The estimate was \$4-12 million. This range is too large to make the estimate very usable. To come up with a better estimate (smaller range) would take better data which would not be cheap to get. In addition, determining how to deal with confidentiality of data issues has been a challenge. In the end, the Study adopted a policy of not collecting confidential data.
2. **Governance:** motto has been “Green shores, clean water, job\$”. As this group has worked, there have been some disagreements in principle, but also some agreements in principle with disagreements in detail
3. **Indicators:** This has been found to be costly in expertise, effort and dollars. There needs to be a mix of statewide standards and local necessities. This information is critical to rational management.
4. **Mapping/Information:** This is also a costly area, and one where there is a need for particular expertise. Issues are the currency and compatibility of data, and it must be recognized that this is not a one-time process. However, maps are a great tool for obtaining stakeholder input, and as a way to mobilize participation.
5. **Outreach:** Requires substantial effort, who sponsors the event matters, and buy-in to management schemes may be a problem.

Speaker: Brad Haskell, Town of Bar Harbor

Title: Bar Harbor Clam Flat and Eelgrass Bed Habitat Restoration Project

Upper Frenchman's Bay has been degraded by over-harvesting, dragging and development pressure. They estimate a loss of 60%+ of eelgrass between 1996 and now. A current initiative aims to address this problem by: restoring clam-flats and eelgrass beds; building community awareness of the problem; working jointly with mussel aquaculture lease companies and town communities; and reviewing town moorings.

At a local level, this initiative would be accomplished by volunteer stewardship activities (e.g., water quality testing, College of the Atlantic student survey, eelgrass reseeding), and by the town planner and marine resources committee bringing together a diverse group of stakeholders to build awareness, create partnerships and develop plans aimed at improving clam flats and eelgrass beds. In addition to local level work, the project calls for collaboration between state agencies (such as the Department of Marine Resources) and regional Frenchman's Bay community groups.

Speaker: Don Eley, Friends of Blue Hill Bay (FOBHB)

Community members have a responsibility to have a healthy bay both economically and environmentally, and need to play a role in bay management. Bay management models will vary from bay to bay but the more local involvement the better the process.

Aquaculture is a lightening rod in Blue Hill Bay. How do we get stakeholders involved and separate out the issues vs. the process? The local community needs to be more involved in the process.

What FOBHB has done:

- Neil Pettigrew has studied the circulation of the bay (2 yr study). This study showed that a lot of the water leaving on the outgoing tides comes right back in on the incoming tides. Physical oceanographic characteristics are an important element of bay management and very expensive to get.
- FOBHB did not submit a proposal to become one of the pilot studies in the bay management study. Through the process of proposal development they realized how important (and difficult) it is to pull all of the stakeholders together and the importance of good communication.
- FOBHB is trying to inventory the human uses and users of the bay.

Panel 3: Resource Management Tools for Bay Management

John Richardson, Blue Hill Hydraulics, Inc

Sebastian Belle, Maine Aquaculture Association

Sherman Hoyt, University of Maine Cooperative Extension

Lee Hudson, Frenchman Bay Fisheries and Friends of Taunton Bay

Speaker: Lee Hudson, Frenchman Bay Fisheries & Friends of Taunton Bay

She is here representing the commercial fishing industry. To her, the goals for bay management are green shores, clean water and jobs.

There are many difficulties with outreach and interacting with stakeholders. We need to clearly establish goals upfront to let people know why they are there and that bay management is not a secret device to shut-down commercial industries. We must convert users to stewards. In organizing, all stakeholders are vested stakeholders – no third party indifference. Education, collaboration, and regulation make for better communication. Gentlemen's agreements don't always work because they are unenforceable. Even with the best laid plans, we need an enforcement piece. Improved communication is necessary between state and industry groups. Fishermen don't like going to meetings. The dialogue provided to fishermen is often not appropriate; it can be beyond their grasp (not to stereotype).

Incorporating fishermen is important and we need to find different ways to do this. One way might be local organizations that act as facilitators for dialogue between the State and fishermen. Collaboration – a tricky catch word – not everyone will be happy, but most people are interested in working together to find solutions to common goals. No room for extremism in collaboration; extreme portions need to fall out of the process. Unintended consequences are real and need to be accounted for. Potential solutions – authority for managing marine resources needs to stay with the State and what we can increase is the input of local entities. Legislation doesn't always listen to the State agencies (*e.g.* licensing or money); no device(s) to kick decisions back to those entities who best know the area or climate. Local people that have the local knowledge should have a role. We need to create new rules for input to the legislature. Take a look at industry organizations – some fisheries have councils too (*e.g.* seaweed council), which can form an easy channel for communication. We need to encourage more industry organization participation. DMR is a helpful State agency and it would help if we funded DMR.

Speaker: Sherm Hoyt

Title: Taking a Step Toward Bay Management

Using Lobster Harbor Territories and Lobster Zone Districts to restore and manage Maine's sea urchin fishery at experimental sites west of Rockland

This model is for sea urchins, and uses existing area models from fishing as one potential model for bay management. This is one local option, specific, and small-scale.

Under the current urchin management system there are two large zones (originally State was 1 zone). We have tried to play catch-up with our management and the result has been extensive over-fishing. The urchin fishery essentially collapsed in the western half of the state and we have come to realize that large-scale management of the zones is inappropriate. We have essentially fished out this resource (harvest is now down to 10 days in the western part of the State). The fishery needs to be restored and managed in a better way. Fisheries that have been successful: softshell clam and lobster, both of which have had small-scale management units for a long time (hundreds of years). The lobster management system has 7 zones for the state. This model is adaptable to other fisheries and to bay management. Sherm is from the Penobscot Bay area and lives in St. George. A good bay – lots of research coordinated by the Island Institute.

Penobscot Bay has parts of three lobster zones (D,C,B), within which there are smaller management modules – harbor territories, connected to residents but not municipalities. There are 7 districts and 18 harbors. These units are useful spatial units for bay management. Looking at sea urchins, managing at the district scale may aide restoration efforts. Could also go down to the harbor unit (this is the smallest scale the lobstermen go down to).

Step 1 – talk with local lobstermen – how do they feel about restoring sea urchins; do they want this? If they don't, it wouldn't be wise to ask that of them. If the entire coast has this conversation and everyone says no, then should go back to the drawing board. International examples exist that are successful at managing urchins at small scales (*e.g.* New Brunswick, Nova Scotia).

Step 2 – Create Local Urchin Management boards (LUMB) that coordinate with state agencies; the LUMB would be the basic governing entity.

Step 3 - In addition, a Bay-wide Board would be needed to coordinate the LUMBs and have a multi-species approach/perspective. Local volunteer groups can't be expected to do this (too much to handle, not maintained in perpetuity). LUMBs could be run by a combination of volunteers, local fishermen, some non-local individuals, and other stakeholders. LUMBs could be contracted with DMR to maintain the public trust (the contract could be revocable).

Enforcement by marine patrol and management would be adaptable.

Speaker: Sebastian Belle, Maine Aquaculture Association

Title: Sustainable Solutions for Maine's Growing Future

From what he has heard today, green shores, clean water, and jobs, sums up a lot about bay management. "Users as stewards," is also an important part of the equation. Many people don't believe that the users care about their resource(s). For the MAA, this is near and dear. Two things today – to present concerns about bay management as aquaculturists, and then to propose a potential model (this model does not reflect the MAA's official position – haven't had as many internal conversations as necessary to have this approval).

Concerns:

- Bay management will establish another layer of regulation/management that aquaculturists will have to deal with. Currently, there is a very comprehensive, rigorous permitting/leasing process with public input, in place. If bay management moves forward, we will have to be prepared to remove some other existing architecture for resource management to occur. If we layer on more requirements, it may become very difficult to become vested in that system.
- Another concern is false expectations – there is a great danger of this. Will bay management reduce conflict (a very naïve assumption)? Just because there is a local entity involved in the process does not mean that conflict necessarily will be reduced.
- Will bay management more comprehensively reduce environmental risk? It may actually increase environmental risks by not providing adequate resources and personnel. Much of bay management is airy - for example, allocating certain areas for different purposes. At larger scales and without adequate data, this lack of definition may have real, unintended consequences.

- How does bay management ensure equal access to Maine State public waters by all Maine citizens? What about someone coming from Aroostok county and wanting access – how are they or will they be represented in this process?
- There is a risk with bay management that we will only focus on aquatic resources. Bay management must include land-use patterns, including literally zoning and local codes, such that land-based uses do not affect users ability to make a living. We must link bay management with land-use in order to be effective.
- Bay management may inhibit commercial uses of marine resources – a concern; it does not have to inherently inhibit it – majority of residents no longer make their living on the water. Ability to voice concerns (as users) may be a minority voice within changing demographics (and this needs to be considered).
- Bay management may inhibit co-management structures – may be a disincentive to industry to create self-management entities.

Proposal:

- Sebastian's own position is similar to Roger's model – a State-wide resource management board that establishes a statewide plan that regional plans can be compared against. Such a plan demands a real need for resources –for state-wide support and enforcement.

Speaker: John Richardson, Blue Hill Bay Hydraulics, Inc.

Title: Development of a Coastal GIS for Water Use Planning

The problem addressed by this approach is that successful management requires a comprehensive understanding of water resources, current/historical usage and intrinsic value. Planning for the use of coastal resources is not always done systematically; perhaps the development and application of better tools would be advantageous. This project will create a coastal GIS for Stonington with support from the Maine Aquaculture Innovation Center. Maps are one way to pool together information for planning purposes and communication to and with the public. GIS will be one tool for the town to use in decisions about resources. It will provide a base layer with waters around the town (static data), as well as some dynamic data sources (which can marry more traditional information with more current information, like circulation models). For example, flow around mussel rafts – with GIS we can better assess effects. In addition, other techniques can be incorporated with GIS. Hopefully, we will be able to site areas suitable for economic growth (and equally, others that are unsuitable) and this will become a resource for the town for decisions concerning different water usages. We will be able to assemble spatial data and hopefully apply those data. The approach is flexible (custom-designed) and the GIS will identify data gaps (this last point is important). Work is scheduled to be completed this summer (2006).

Document 2: Small Group Discussions – Suggested Improvements

Improving Local Input

- Identify bay management models that work and support them
- Create bay area councils that have standing with state agencies
- Local person – bay monitor- to watch for conflicts, violations, id emerging issues. This person would work with a Bay Council
- Create a mechanism to provide for local input into baywide issues (like expansion of mooring fields, clam flat management)
- Encourage towns to use existing authority (to protect water quality, limit size of development)
- Create a mechanism for the enforcement system to accept local input
- Earlier notice / better dissemination of notice for lease applications
- ID existing forums/stakeholder groups and use them to get notice info out
- Use local fishermen to advise on lease activity / Have local fishermen involved in site selection
- Require lease proposals to address: Local economic benefits; Impact – require minimal impact; Reflect good science
- Require companies to go to locality with proposals as part of the process.
- Hold more meetings more locally
- Better resource inventory to inform uses of the bay (*we are assuming that this one is related to local input in that in order for such input to be meaningful, locals need to have better information, such as an inventory of resources*).

Fleshed-out idea

WHAT:

Regional Bay Area Council with a bay monitor. Quasi-governmental entity composed of member towns and stakeholder groups.

Mission:

To promote understanding of the bay ecosystem.
Disseminate information to the bay's population.
Coordinate assessment of cumulative pressures
Report to agencies and legislature
Provide a forum for discussion of problems, make recommendations for solutions
Develop a plan for bay resources

How funded;

Paid for by a mixture of grants, dues, % of mooring fees, licenses, state funds.

Authority:

Standing with DMR, other state agencies

Who is on the Council:

Public, stakeholders, towns/local govt, harbor master, sewage treatment operator
Varies from bay to bay depending on the nature of each bay.
Each Bay Council could send a member to a larger council where information could be shared; larger issues id'ed and discussed, etc.

Improving Use of Science

- State agencies should validate information offered as fact in adjudicatory proceedings and take appropriate enforcement action when false information is deliberately offered.
- State law should allow public access to information on biomass harvested when Public Trust resources are harvested.
- Improve data collection by: collecting data on a bay level; collecting data on non-commercial species; and prioritizing data collection.
- Improve data management by creating a more effective means to share and integrate data. A centralized databased/catalog (i.e. the PEARL database) or a data registry that points people to data sources (i.e. NASA registry) are two examples.
- Carry out long-term monitoring to identify trends.
- Develop state standards regarding the type and quality of data to be used for making specific management decisions.
- Define the levels of accuracy needed in data for decision making.
- Set eco-targets/goals (conservation/restoration/carrying capacity). Time series monitoring of index sites/parameters. Diagnostic monitoring. Area characterization.

Fleshed-out idea

WHAT:

Develop state standards regarding the type and quality of data to be used for making specific management decisions.

- Identify all data needed for decisions under consideration. Do a literature search to establish some data standards. A comprehensive suite of info is needed.
- Distinguish between area-specific regulatory standards (involving significant field work and data analysis) and standards for use in decision making (i.e. development of indicators to gauge trends)
- Management standards should be clearly related to issues of concern to the public (the public often doubts the utility and integrity of numeric standards). Standards should address pertinent social, economic and biological data.

WHO: Need to consider what entity would develop these standards since it can be controversial. Would need public agreement on the level and quality of data to make it workable.

WHERE: Place-based or bay-level

WHY: Science should be incorporated into decision making under any approach to bay management. This approach depends on agreement that decision making on bay management issues should be based on good science. Also, development of place-based standards and indicator species or conditions where numeric standards lacking or to supplement such standards may be useful to gauge trends and inform policy development and decision making

Consideration/Concern: While scientific data is important to decision making, it is important to recognize that the key issue is resource allocation which manifests itself as user conflict.

Mechanisms for Resource Protection or Conflict Resolution (green group)

- Create a map that has conservation areas mapped so we know the current situation
- Communicate to the public the rules and regulations already in place for the fishing industry
- Change management structure to a more local level so that local people are more involved and invested in managing resources
- Improve enforcement of existing laws and regulations (e.g., shoreland zoning, local ordinances, water quality regulations).
- Need regulations in place before allowing fishing of a new/emerging resource
- Develop local area management plans.
- Manage activities in ways that support ecosystem function and integrity
- Reconcile big theory ideas with reality of users on the water
- Provide state level guidelines for local ordinances for bay management
- Figure out ways to involve harvesters, municipal officials and full range of stakeholders
- More local (municipal) control in intertidal zone and state control from low water to 3 miles
- Develop a system to address cumulative impacts in a bay

WHAT:

Manage activities in ways that support ecosystem function and integrity

- Manage area based on agreed upon overall objectives
- Use local knowledge
- Each area works on issues that are deemed to be important to that bay at that time (context-driven)
- We disagreed about the appropriate level of authority for the councils to have. Some suggested that the councils be advisory but have their suggestions codified in some way so that they must be considered in state decisions. Others suggested that we maintain the current state regulatory system but that we delegate more authority for certain permitting and enforcement activities to the councils.

Fleshed-out idea

WHO: Local councils that involve all stakeholders to the extent possible (esp. users, local governments and environmental NGOs).

WHERE: Regional approach

WHEN: Don't rush into this new structure of councils without carefully planning and testing it first. Once they get going, they should be proactive when possible – they can form “action committees” to respond to emerging issues.

WHY: Communication! The most important function for the councils will be to improve communication between stakeholder groups (including the state).

CONCERNS: Make sure this new system doesn't add complexity to our current way of doing things. Also, this idea needs a high level of funding and human assets (capacity). We need to think of ways to reallocate existing resources if restructuring coastal management, as well as use NOAA 309 funds.

Mechanisms for Resource Protection or Conflict Resolution (black group)

- Do an analysis of how conflicts are currently being resolved (policy gap analysis)
- Create overarching guidelines and apply them regionally
- Create a place for people to go to resolve use conflicts
- Create a process to set aside areas for conservation
- Assign use areas – Ocean Zoning
- Create town or regional plans which address ways to handle future conflicts

Fleshed-out idea

WHAT:

Create a Place or Process for People to Go/Use to Resolve Water Use Conflicts (Note that the discussion steered to reducing conflict through regional planning)

- A regional board that will put together a regional vision for managing coastal resources, develop policies, writes ordinances, etc.

WHO:

- stakeholder board with state agency representation

WHERE:

- regional – but what is the appropriate scale?

WHEN:

- Actions of the board would be proactive, but would also provide some management

WHY:

- To reduce conflict
- To assist those who have been disenfranchised by their local government

Concerns/Alternative ideas:

- Regional plans are not a good idea. There are going to be conflicts in every plan created. It would take a lot of state resources and it won't be very effective.
- The board needs to be at the state level in order to support the state vision. The state board would be a citizen appeals board
- The regional board would not have state agency representation. Rather, the state agency actions would continue as they do today, but they would have to take into account any regional plans in their decision making.

Managing at the Appropriate Scale

- Examine watershed management as a model
- Determine how much and what kinds of data exist at the local level
- Determine what volunteer capacity exists
- Learn more about SPO's regionalism Task Force
- Create opportunities for towns to engage in management; if they opt not to, they will not receive the benefits
- Look at models like the Cobbossee Watershed District where towns contribute funding to pay for scientists who work for them. Develop a marine analog to the Watershed Districts
- Resolve issues around confidentiality of fisheries information on a small scale (i.e. fishermen would not be comfortable having that information shared)
- Greater emphasis on use of local knowledge (fishermen, others)
- Greater emphasis on use of volunteers
- Collect bay specific data
- Ask fishermen to assist with stock assessments
- Draw on DMR's experience with their existing volunteer coordination work
- Explore the feasibility of letting regions self-select
- Explore the lobster zone council model

Fleshed-out idea

WHAT:

- Use the Lobster Zone boundaries as a methodology of dividing up the coast into smaller management units.
- DMR remains responsible for the public trust, and develops guiding principles for local groups to follow as they develop something. Require bay entities to do vision planning.
- Create a requirement that the State listen to local input. Doesn't need to follow the advice, but needs to address the comments.

WHO:

- Create regional advisory councils, with authority remaining with the State
- Designate regional DMR ecologists – to do more than clam management. Facilitates the transfer of local knowledge and issues. Would still need species coordinators statewide.

WHERE:

- Within the boundaries, may need to take a “nested” approach, to manage different activities at different scales

WHY:

- Some activities would be better managed at a smaller scale. The lobster zone boundaries are the only real lines that exist on the water. People are aware of them and use them.

Concerns/Alternative ideas

- Need to create an incentive for stewardship by giving some responsibility to local groups.
- Need to resolve how to address confidentiality issues with fisheries data in small areas with a limited number of participants.